IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1220 OF 2004

The State of Maharashtra ..Appellant

V/s.

Ajij Abdul Razak Kazi ..Respondent

Mrs.M.H.Mhatre APP for Appellant/State.

Coram : R.S.Mohite,J

Date :10th January, 2006.

PC

1. This is an appeal filed by the State impugning a Judgment passed by the 2nd JMFC, Ratnagiri on 29.7.2004 acquitting the accused for offences punishable under Sections 323, 324, 504, 506(2) of IPC. On perusal of the Judgment it is clear that the same has been passed on cogent and acceptable reasons. The prosecution case was that the Complainant and his wife were residing alongwith the accused in a common house. There was dispute between them on the point of partition. On 5.11.2003 the lights could not be started and it was found that the fuse had been removed. When accused was asked to connect the fuse, he beat Munija- wife of the complainant on her nose by fist blows. The complainant who was neighbour, rushed there and

tried to intervene but he was also beaten on the right hand wrist. The trial Court has observed that the relationship between the parties was admittedly enimical and the prosecution witnesses were interested. The medical evidence indicated multiple bite marks on the right upper arm on the body of the complainant and a contusion on Munija. It has been held that multiple bite marks can be self inflicted. Taking an over all view of the matter, I am not inclined to interfere with the judgment and hence, leave refused and consequently, appeal stands dismissed.

(R.S.Mohite,J)